

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Oct 12, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

BRYAN PAUL HERNANDEZ,

Plaintiff,

v.

COUNTY OF BENTON,

NAPHCARE, INC, and EASTERN  
STATE HOSPITAL,

Defendants.

No. 2:23-CV-00223-SAB

**ORDER DISMISSING COMPLAINT  
WITHOUT PREJUDICE**

Before the Court is Plaintiff Bryan Paul Hernandez's *pro se* Motion to Voluntarily Dismiss Complaint pursuant to Fed. R. Civ. P. 41(a). ECF No. 9. Plaintiff is a civilly committed individual at the Eastern State Hospital. Defendants have not been served in this action.

Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiff's Motion to Voluntarily Dismiss Complaint pursuant to Fed. R. Civ. P. 41(a), ECF No. 9, is **GRANTED**.
2. Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.

//

//

**ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE -- 1**

1       3. The Clerk of Court is directed to **CLOSE** the file.

2       **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,  
3 enter judgment of dismissal without prejudice, provide a copy to Plaintiff. The  
4 Court certifies any appeal of this dismissal would not be taken in good faith.

5       **DATED** this 12th day of October 2023.



6  
7  
8  
9       Stanley A. Bastian

10       Stanley A. Bastian  
11       Chief United States District Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28